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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/661,070	09/13/2000	Andrew T. Molitor	6880	7631

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DORSEY & WHITNEY LLP
50 SOUTH SIXTH STREET
MINNEAPOLIS, MN 55402-1498

EXAMINER

PHUNKULH, BOB A

ART UNIT

PAPER NUMBER

2661

DATE MAILED: 06/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/661,070	MOLITOR, ANDREW T.
	Examiner	Art Unit
	Bob A. Phunkulh	2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 21 March 2002.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-44 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
 If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s). _____ .
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)
- 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7 . 6) Other: _____

DETAILED ACTION

This communication is in response to applicant's 03/21/2002 amendment/responses in the application of **MOLITOR** for "**METHOD AND APPARATUS FOR FACILITATING PEER-TO-PEER APPLICATION COMMUNICATION**" filed 09/13/2000. The amendments/response to the claims have been entered. No claims have been canceled. No claims have been added. Claims 1-44 are now pending.

Claim Objections

Claims 1, 15, and 30 are objected to because of the following informalities:

Claims 1, please correct the following:

In line 7, "a translation rule" to –the translation rule--, and "an address valid" to –the address valid--.

In line 8, "an address valid" to –the address valid--.

In line 10, "an address valid" to –the address valid--.

Claim 15, please correct the following:

In lines 8-9, "a translation rule" to –the translation rule--, and "an address valid" to –the address valid--.

In line 9, "an address valid" to –the address valid--.

In lines 12-13, "an address valid" to –the address valid--.

Claim 30, please correct the following:

In line 7, “a translation rule” to –the translation rule–, and “an address valid” to –the address valid–.

In line 8, “an address valid” to –the address valid–.

In lines 11, “an address valid” to –the address valid–.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1, 15, and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Yanagidate et al. (US 6128664), hereinafter Yanagidate.

Regarding claims 1, 15, and 30, Yanagidate discloses a network address translation device (*an address-translating device 14*) for facilitating message packet communication between a first application in a first address realm (*terminal device 10a*

in a network 11) and a second application in a second address realm (terminal devices 12a or 12b in a network 12) comprising:

*an address translator for translating an address valid in the first address realm into an address valid in the second address realm based on a translation rule and for translating the address valid in the second address realm into the address valid in the first address realm (*an address translation table 14c*);*

*an address manager for establishing the translation rule by associating the address valid in the first address realm with the address valid in the second address realm (*IP address control table 14b, and host-name/private-address lookup table 14a*); and*

*a control channel communicating with the address manager for receiving from the first application a service request message (*an inquiry, S1 in figure 6*) for an address valid in the second address realm to be associated with a specified address valid in the first address realm and for providing the first application access (*S4, S7, S12, in figure 6*) to the requested address valid in the second address realm to facilitate the first application's communication of the address valid in the second address realm as message packet data to the second application (**see figures 1 and 2, and col. 2 line 33 to col. 3 line 14**).*

Regarding claims 2-3, 16-17, Yanagidate discloses the addressed requested by the first application is a terminating address or an originating address.

Regarding claims 4-5, and 18-19, the first address realm is an internal network or private network 12 and the second address realm is an external network or global internet address 11 (see figure 2).

Regarding claims 6, 20, 35, the address manager (IP address control table 14b and host-name/private-address lookup table 14a) establishes a translation rule by associating an address valid in the private network realm 12 with an address valid in the global internet address realms (see figure 2 and col. 2 line 33 to col. 3 line 14).

Regarding claims 9, 24, 39, Yanagidate discloses the communication facilitated is peer-to-peer communication. Newton's telecom dictionary defined the term "peer-to-peer" as communications between two entities that operate within the same protocol layer of a system. In Yanagidate, the communication between terminal 11a and terminal 14a uses the same IP protocol layer (see figure 2).

Regarding claims 10-14, 25-29, 40-44 Yanagidate discloses the network translation device the address translation with a predetermined rule (col. 3 lines 44 to col. 4 line 12).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7-8, 21-23, 36-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yanagidate.

Regarding claim 7-8, 21-22, 36-38, Yanagidate fails to disclose establishing rules for translation of address information in an inbound message packet to occur in response to the presence or absence of specified originating address information in the message packet. Also, it should be noted that it is well known in the art that an IP packet comprises of at least a source address and a destination address in its header.

However, it would have been obvious to one having ordinary skill in the art at the time of invention was made to check the source address of the incoming packet to determine whether the user has access to the private network or secure network – thus preventing hackers or unwanted users from gaining access to the private network.

Conclusion

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 305-9051, (for formal communications intended for entry)

Or:

(703) 308-5403 (for informal or draft communications, please label
“PROPOSED” or “DRAFT”)

Hand-delivered responses should be brought to Crystal Park II, 2021

Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Bob A. Phunkulh** whose telephone number is **(703) 308-8251**. The examiner can normally be reached on Monday-Friday from 8:00 A.M. to 4:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor **Douglas W. Olms**, can be reached on **(703) 305-4703**. The fax phone number for this group is **(703) 872-9314**.

Bob A. Phunkulh

Bob A. Phunkulh

TC 2600
Art Unit 2661
June 11, 2002

Ajit Patel
Ajit Patel
Primary Examiner